



CONDITIONAL USE PERMIT FORM

FINAL
Revised 10/1/15

Yakima County Public Services
128 North Second Street · Fourth Floor Courthouse · Yakima, Washington 98901
(509) 574-2300 · 1-800 572-7354 · FAX (509) 574-2301 · www.co.yakima.wa.us

Please Answer the Following Questions (*Please attach a separate sheet if needed*):

1. Are you applying for a: Type 1 Type 2 Type 3 Type 4
2. What is the proposed use, as listed in YCC Table 19.14-1? Automobile Wrecking Yards
3. What is the size of the subject property? (Amount of acreage or square feet): 17.78 acres
4. What is the size and use of structures currently located on the property? 6500 Sqft Shop and Office
5. What is the size, height and use of structures proposed to be placed or constructed? none
6. List other permits and approvals that will be required. Shorelines, Critical Areas, Building, Stormwater and Stormwater Construction, Corps Section 401
7. Will the project be conducted entirely within a structure? Yes No
If no, explain what outdoor activities would occur: _____
8. Total number of employees? 4
9. How many parking spaces are you proposing? Existing: 8 Proposed: 8 Surface Type: _____
10. Will you have a sign? Yes (if yes, please answer the following questions.) No
 - a. How many signs are proposed? 1, existing sign, no change
 - b. What is the square footage of the sign? 60
 - c. What is the height of the sign? 6
 - d. Will the sign be illuminated? Yes No
 - e. If the sign is illuminated, how will it be illuminated? Internally Externally
 - f. Where will it be located? On roof of shop/office
11. What is the name of the road that the proposed/existing access is located on? Powerhouse Road
 - a. Is the road a: County Road State Highway Private Road
If the road is a private road, is there an existing Road Maintenance Agreement? Yes No
(If yes, please provide a copy)
 - b. Is the road constructed out of: Pavement Gravel Dirt
 - c. How wide is the Right-of-Way/Easement? 60
 - d. How wide is the surface of the road? 30
12. How will you manage storm water runoff? Complete stormwater management plan and facilities

13. Fencing (If applicable check both)? New Existing

a. Fence Material: Cyclone with Slats

b. Will the fence be view obscuring fence? Yes No

c. Will you be placing barbed wire on the top of the fence? Yes No

d. What is the total height of the fence (including the barbed wire if proposed)? 10

14. Are you proposing any site screening or landscaping? Yes No

If yes, what type and what is the location? _____

15. What is the proposed source of irrigation water? None Needed

16. What are the days & hours of operation? Days: M-Sat Hours: 8-5 plus after hours towing

17. Will the operation be seasonal? If so list months of operation: _____

18. Is any outdoor lighting proposed? Yes No

If yes, what is the proposed location(s)? Around shop and at tow pen/entrance to yard at night.

19. What is the proposed source of domestic water?

a. Public Water: Name of provider: _____

b. Community Well: What is the well number: _____

i. Where is the well located? _____

ii. Is there an existing Well Maintenance Agreement? Yes No

(If yes, please provide a copy)

c. Individual Well

20. What is the proposed method of sewage disposal?

a. Public Sewer: Name of provider: _____

b. Community Septic System: Where is the septic system located? _____

c. Individual Septic System

d. Other explain: _____



NON-CONFORMING USE

FINAL
Revised 03/09/16

Form

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1. **Type of proposed action:** *(Check at least one)*

- Normal repair or maintenance activities within a structure** containing a nonconforming use when the cost of work and materials within any 12-month period will exceed 25% of the assessed value of the structure using the most current County Assessor's tax roll before the work begins. *YCC 19.33.060(3)*
- Expansion or Alterations of Use** of a structure or land shall be altered, enlarged, expanded, extended or replaced. *YCC 19.33.060(4)*
- Change a nonconforming use** of a building, structure or land to an allowed use or another non-allowed use. *YCC 19.33.060(5)*
- Restoration or re-establishment of a damaged structure** containing a nonconforming use when the work within any 12-month period will exceed 50% of the square footage or the assessed value, as established by the current County Assessor's tax roll, of the structure before it was damaged or destroyed. *YCC 19.33.060(6)*
- Substantial or partial destruction of a residential structure** may be reconstructed when the lot contains one or more legal, nonconforming, habitable dwellings, as defined in YCC Title 13. The replaced dwelling may be increased in gross square footage as long as it does not exceed an increase of 50% of the building at the point it became nonconforming. *YCC 19.33.060(6)(a)*

2. **A Written statement that discusses and provides evidence relating to all items in the following list as required under YCC 19.33.060(4)(d)(i):**

(Please label your responses in the written statement "a, b, c," etc.)

- (A) That the alteration or expansion requested would not be contrary to the public health, safety or welfare;*
- (B) That the alteration or expansion is compatible with the character of the neighborhood; and does not significantly jeopardize future development of the area in compliance with the provisions and the intent of the zoning district;*
- (C) That the use or structure was lawful at the time of its inception;*
- (D) That the value of nearby properties will not be significantly depressed by approving the requested alteration or expansion;*
- (E) That the nonconforming structure shall comply with all development standards and codes to the extent feasible;*
- (F) That the use or structure will not cause, increase or expand detrimental attributes for the area it is located due to: use of hazardous materials; generation of noise, odors or electronic interference; introduction of incompatible uses; or generation of large numbers of vehicle trips; change in hours of operation; and emissions of light or glare; and*
- (G) That the proposed alteration or expansion requested will not create negative health or safety impacts and need not be excluded to protect the public from harm.*

The project goal is to relocate Weber's Auto Wrecking Yard in order to set back part of the N-1 levee. The downstream 1,780 foot of the N-1 levee will be removed and set back approximately 320 feet in order to allow the Naches River better access to the floodplain. This will require the change of use on three properties which the Yakima County Flood Control District purchased on either side of the wrecking yard in order to complete the relocation.

The reconfigured wrecking yard will lie to the east of the new N-1 levee. The 7.99 acre parcel to the north of Weber's #18130544411 is split zoned. 5.33 acres is zoned Rural 10-5 and 2.66 acres is zoned Remote/Extremely Limited. The new N-9 levee would require change of use on the 0.20 acres of the Remote/Extremely Limited property located on the south west corner of the newly reconfigured lot. The property to the south of Weber's #18130922004 totals 9.16 acres and is entirely zoned Remote/Extremely Limited. The relocation will need to change the use on a total of 0.50 acres located on the north corner of the property.

There is also a small portion of Yakima County property which is owned in fee and is designated Right of Way in along Powerhouse Road which is actually mislabeled on Yakima County "Magic" mapping program. This property was deeded to Yakima County in 1960 and was the old Pacific Coast Highway #5. A 0.20 acre piece will need a change of use in order and will be deeded to Weber's. This property will be graveled and used for employee parking.

- A. The RLDP designation originated by following the flood extent boundary which will change on these lots because we are setting back the N-1 levee on these parcels. The change of use on these parcels will not adversely affect public health, safety or welfare.
- B. The only other business located on Powerhouse Road is the wrecking directly across the street (Poor Boys Wrecking Yard). There are 2 residences located directly south of Poor Boys Wrecking Yard. The expansion of Weber's Auto Wrecking Yard is compatible with the character of this area and does not jeopardize the future development of the area in compliance with the provisions and the intent of the zoning district.
- C. Weber's Auto Wrecking Yard is currently located on property which is zoned Remote/Extremely Limited and is considered a legal non-conforming use within this zoning district.
- D. The value of the nearby properties will not be significantly depressed by this change in use.
- E. The proposed N-1 levee setback will eliminate the existing tow pen. The new tow pen of the same size will be constructed and will be partially located on the property to the south of Weber's #18130922004. The tow pen will drain into a new evaporation pond due to autos stored could potentially leak (due to damage during traffic accidents which cannot be repaired while they are impounded). A section of this tow pen is also located on the property to the south of Weber's #18130922004. There will be a graveled area in front of the tow pen and evaporation pond which will be used for employee parking. The Remote/Extremely Limited .20 acre piece which is located on the north of Weber's #18130544411 will be used for storage of wrecked cars. These cars are completely drained of all fluids before they are stored in this area and sold for parts. All development standards and codes will be followed.
- F. Nothing about the operation of Weber's Auto Wrecking Yard will change. The wrecking yard is held to standards which require regular inspections led by the Washington State Patrol.
- G. The relocation of the wrecking yard will not create negative health or safety impacts and need not be excluded to protect the public from harm. Nothing will change in the operation procedures of the

wrecking yard with the relocation onto the south and north properties. With the addition of the evaporation pond draining the tow pen to catch any stormwater runoff, pollutants will be contained.

3. **Please Answer the Following Questions:** (Attach additional sheets as necessary)

a. How long has this activity (land use) occurred on this property?

The current location of Weber's Auto Wrecking Yard, parcel #18130811001 was purchased by A.G. Weber 1966 and developed into the wrecking yard. Jeffrey and Victoria Weber transferred the title into their name in 2015 after A.G. Weber's death. The property riverward of the N-1 levee has never been developed. Yakima County Flood Control District purchased the property to the North of Weber's Auto Wrecking Yard, parcel #18130544411 in 2012 for the sole purpose of relocating the wrecking yard onto a portion of this property and setting back the levee. The properties previous owner had a garden center business.

Yakima County Flood Control District purchased the property to the South of Weber's Auto Wrecking Yard, parcel #18130922004 in 2013 for the sole purpose of relocating the wrecking yard onto a portion of this property and setting back the levee. The previous owner had a house and shop which Yakima County demolished in order to move forward with the project.

b. Has the use been actively conducted on the property within the last 18 months? Yes No

c. Are you adding or changing a use or activity? Yes No

If yes, please indicate the new use(s) from the list in YCC Table 19.14-1:

Not on list

d. Have you made any expansions in the past? Yes No

If yes, please indicate the year(s) and square footage for each expansion: _____

e. What is the size and use of all structures currently located on the property? _____

f. Will you need to construct a new building or an addition to the existing building for the expansion?

Yes No *If yes, please answer the following:*

(A) *What is the proposed square footage:* _____

(B) *What is the proposed height:* _____

(C) *What will be the proposed lot coverage:* _____

g. Are you proposing to replace or demolish any structures? Yes No

If yes, please indicate the location: _____

h. Do you currently have any employees? Yes No

If yes, how many employees?

Weber's Auto Wrecking Yard has a total of 4 employees

i. Are you proposing any new employees? Yes No

If yes, how many employees are proposed? _____

j. Do you currently have any outdoor storage? Yes No *If yes, please answer the following:*

(A) *What is currently stored? Not on parcels which are subject of this application.*

(B) *What is the current total square footage?* _____

(C) *What is the current method of site screening?* _____

(D) *What is the current type of landscaping?* _____

- k. Are you proposing to install/expand any outdoor storage? Yes No *If yes, please answer the following:*
 (A) What will be stored? _____
 (B) What is the proposed square footage? _____
 (C) What is the proposed method of site screening? _____
 (D) What is the proposed type of landscaping? _____

- l. Is any outside lighting proposed? Yes No
If yes, please indicate the type and location:

Yes, an outdoor light will be necessary on the new tow pen location. Light will be 150 Watt High Pressure Security with Photocell Sensor.

- m. What is total number of existing off-street parking spaces? _____ Surface Type? _____

- n. Will you be expanding/proposing off-street parking area(s)? Yes No
If yes, please indicate the location and size of addition

An 80ft x 45ft. area will be graveled in front of the tow pen and evaporation pond that is to be used for employee parking.

- o. Do you have an existing sign? Yes No *If yes, please answer the following:*
 (A) How many signs? _____
 (B) What is the sign height? _____
 (C) What is the sign square footage? _____
 (D) Is it illuminated? Yes No
 (E) If the sign is illuminated, how is it illuminated? Internally Externally
 (F) Where is the sign located? _____

- p. Will you be adding or modifying a sign? Yes No *If yes, please answer the following:*
 (A) How many signs? _____
 (B) What is the sign height? _____
 (C) What is the sign square footage? _____
 (D) Is it illuminated? Yes No
 (E) If the sign is illuminated, how is it illuminated? Internally Externally
 (F) Where is the sign located? _____

- q. Fencing: (Indicate on site plan which is proposed and which is existing)

(A) What is the fencing material: Chain Link

(B) Is the fence view obscuring? Yes No

(C) Are you placing barbed wire on the top of the fence? Yes No

(D) What is the total height of the fence (including the barbed wire if proposed)?

8 foot site obscuring fence around perimeter, 6 foot high site obscuring with 2 strands barbed wire to equal 8 feet around the tow pen and evaporation pond

YCC 19.33.030(2) states that it is the burden of the property owner or proponent to demonstrate the legal nonconformity of a lot, use and structure. **The required attachments must be submitted with this application to establish the Legal Nonconforming Status of a Lot, Use and Structures:**

- 1) For **legal nonconforming lots** please submit a copy of a deed or development permit executed prior to the change in code. YCC 19.33.030(2)
- 2) For **legal nonconforming structures** please submit development permits, historical photos, and affidavits from person knowledgeable of the historic configuration of the structure.

YCC 19.33.030(2)

- 3) Other acceptable documentation includes, but are not limited to: (YCC 19.33.060(1)(b)):
- i) Dated business receipts showing types of service or goods provided;
 - ii) Statements of records from utilities, such as power, water or gas, that indicate the date and type of use and demonstrate that the use was conducted over time;
 - iii) Operating licenses issued by government agencies;
 - iv) Property rental invoices or receipts;
 - v) Income tax records;
 - vi) Dated listings in telephone, business or Polk directories;
 - vii) Records of the County Assessor;
 - viii) Building, land-use or development permits;
 - ix) Dated photographs, newspaper clippings and other relevant documentation; or
 - x) Notarized affidavits from neighbors or person who have observed the nonconforming use over required period of time may assist in substantiating its presence.

Project Narrative for Conditional Use Permit.

This project was previously granted a Conditional Use Permit, CUP16-118. Due to the complexity of the project, implementation of the project has been delayed, and further time extensions to the existing permit are not allowed. The project has changed very little since the original application, with the change being location of the proposed stormwater treatment pond approximately 50 feet east of the original proposal, to allow for employee parking and make the main commercial access into the wrecking yard itself align better with the finalized road approach and parking plan. The Weber Wrecking Yard is a pre-existing non-conforming use in the RELDP zone, and the reconfiguration of the yard will result in a portion of the use being located on the adjacent parcel owned by Yakima County Flood Control Zone District. That parcel is split zoned RELDP and VR, apparently reflecting the floodway boundary as it existed on the flood maps prior to the current maps which became effective in 2010. Most of the wrecking yard will be located on the area currently zoned VR, which prohibits this use.

The intent of the reconfiguration of the yard is to implement a levee setback as recommended in the Lower Naches Comprehensive Flood Hazard Management Plan. All other permits for the project have been secured, more detail regarding the overall project is available in the narratives and conditions for the SEPA decision (SEP 2013-00024) and Shoreline Permits (WET15-00003).



MINIMUM REQUIREMENTS SITE PLAN SUBMITTAL CHECKLIST

FINAL
Revised 10/01/15

Land Use Actions

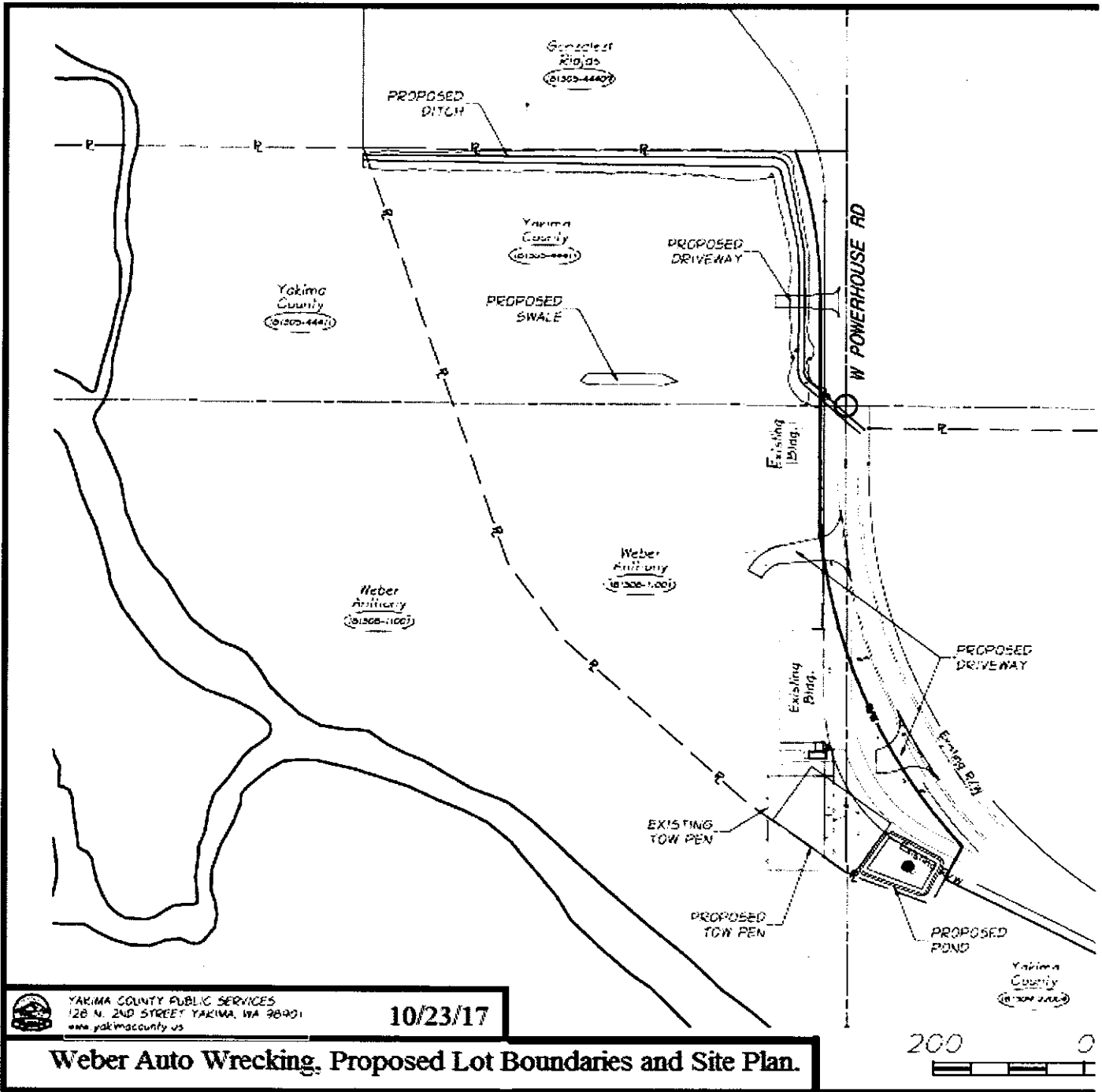
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This informational brochure will assist in the preparation of your site plan for project submittal. The minimum site plan information on this page is required. Check the box beside those items that you have included on your site plan. A sample site plan is also included for your assistance. If you need information or assistance please contact the Public Services at (509) 574-2300.

Required Site Plan Information:

1	<input checked="" type="checkbox"/>	Paper size shall be 8.5 x 11 or 11 x 17. If multiple pages, provide an index sheet showing the entire site. Grid paper or picture backgrounds are not acceptable, the map must be reproducible
2	<input checked="" type="checkbox"/>	Blue or Black Ink, in order that they may be photocopied.
3	<input checked="" type="checkbox"/>	North Arrow (north should be pointing to the top of the page)
4	<input checked="" type="checkbox"/>	Legend to include:
	<input checked="" type="checkbox"/>	<i>Owner/Applicant Name</i>
	<input checked="" type="checkbox"/>	<i>Date the Site Plan was drawn.</i>
	<input checked="" type="checkbox"/>	<i>Name, address and telephone number of the person preparing the site plan</i>
	<input checked="" type="checkbox"/>	<i>Tax Parcel Number</i>
	<input checked="" type="checkbox"/>	<i>Standard engineering scale of the drawing (at least: 1" = 200 ft.)</i>
5	<input type="checkbox"/>	Property line dimensions of all lot(s) involved in the project.
6	<input type="checkbox"/>	The location, width and purpose of all easements (utility, access and/or irrigation) on the site and adjacent to the site.
7	<input type="checkbox"/>	Location of new and/or expanded public and private utility infrastructure.
8	<input checked="" type="checkbox"/>	Streets and access easements, with the name, dimensions, type (public or private) and road surface (paved, gravel or dirt).
9	<input checked="" type="checkbox"/>	Location, dimension and design of off-street parking facilities and points of ingress (to) and egress (from).
10	<input type="checkbox"/>	Location of pedestrian and vehicular circulation patterns, sidewalks, trails and bicycle paths.
11	<input type="checkbox"/>	Location, shape, size, gross floor area, height and types of all existing and proposed structures, minimum building setbacks from the property lines and other structures, and the total lot coverage.
12	<input type="checkbox"/>	Location and dimensions of all proposed exterior land uses.
13	<input type="checkbox"/>	The distance from existing and proposed structures to the centerline of state, county, or private access roads.
14	<input type="checkbox"/>	Location of structures on the adjoining lots, which may cause compatibility issues.
15	<input checked="" type="checkbox"/>	All major man-made and natural physical features such as railroads, canals, streams, creeks, drainage ditches, hills, depressions, steep slopes, lakes, shorelines, floodplains*, floodways, the 100-year base flood elevations etc. on-site or adjacent to the site. (*Boundaries of the 10 and 25-year floodplain using the flood risk maps as provided by Yakima County as part of a mandatory pre-application meeting.)
16	<input type="checkbox"/>	Description of the extent to which any watercourse will be altered or relocated as a result of the proposal.
17	<input type="checkbox"/>	Proposed location and dimensions of community and other open space.
18	<input type="checkbox"/>	Existing and proposed landscaping, site screening, street trees and stormwater drainage facilities.
19	<input type="checkbox"/>	Location of well or water systems within 100 feet of the subject property or within a 100 foot well control zone and the distance from any structures within the well control zone.
20	<input type="checkbox"/>	Proposed contours and grading as they affect lot layout, streets, and drainage ways.
21	<input type="checkbox"/>	Location of proposed or existing drain field area, extension area, and tank area as well as replacement areas and distances to structures and property lines
22	<input type="checkbox"/>	Location of adjacent public water, sewer main, fire protection systems and other underground facilities within or adjacent to the development.
23	<input type="checkbox"/>	Within a UGA, Master Planned Resort or Rural Settlement show the existing topographic contours at intervals of not more than 5' when the ground slopes exceed 10%. Extend 100' beyond the boundaries of the site.



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10/23/17

Weber Auto Wrecking, Proposed Lot Boundaries and Site Plan.

